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EXHIBIT 2
DATE 1/11/2011
HB 114

Chairman Peterson and Members of the House Judiciary Committee,

Many of you know me in my capacity as the Executive Director of the Montana Association of Counties. Today I am providing testimony not in that capacity, but rather as a crime victim. None of us plan to become victims. Through no actions or choices we make do we become crime victims. Being a crime victim is something that happens to someone else, not us. However sometimes we become the "someone else".

Our family became the "someone else" on Oct 15, 2009 when our second oldest son, Michael was shot and killed by a neighbor while he was standing on the back porch of his home. A suspect was arrested two weeks later and was tried and convicted in a jury trial in August 2010. The defendant was subsequently sentenced to 100 years at the Montana State Prison.

The loss of not only a son but also of brother and uncle was devastating to our family. Words simply cannot express the gratitude we have for the Crime Victim and Witness Advocates that helped us through some of the more difficult times. As some of you may know, I served as a County Commissioner in Stillwater County and when I voted to create the Crime Victim and Witness Program in Stillwater County, little did I know that on October 15, 2009, me and my family would become victims and would personally benefit from the program. We were immediately contacted by Coral Lee Hicks who is the Tri-County Crime and Victim Witness Program Manager. She provided us with contact information about resources for counseling that was available to assist us during a time when little made sense. She provided us with information about what took place during the court proceedings at each step. Like other victims, we were not familiar with the courts and having someone explain to us how things worked so we could understand what was going on provided us with a great deal of comfort.

Our granddaughters, Breanna and Bella who were 4 and 8 years old at the time felt the loss especially deeply because they were Michael's only nieces. Michael had no children of his own so they were especially close and important to him. Having witnessed how difficult of a time it was for them, I simply cannot conceive how a child who is actually present when domestic violence takes place in a home can cope with what has happened. This bill expands the definition of "Victim" to include minor children who are present in a home where domestic violence occurs. This change will allow the Crime Victim Witness Advocate Programs to provide services such as counseling to those children. I am sure those children's lives are forever scarred but with the intervention of a Crime Victim Advocate, I know that scarring can be reduced.

While in our case, paying for Michael's funeral and related costs was not an issue, I cannot imagine how a family with limited means can deal with that burden while trying to cope with everything else. The current \$3,500 funeral and burial allowance will cover a significant portion of those costs but it is far from sufficient. The proposed increase to \$5,000 is a very good step in helping those families deal with the financial implications of the loss.

As I said earlier, none of us ever plan to become victims. We do not choose how or when. It just happens and it can happen to any of us at any time.

Please support HB 114 as a bill that is just the right thing to do.